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**FILED**  
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U.S. DISTRICT COURT, E.D.N.Y.

★ JAN 29 2004 ★

BROOKLYN OFFICE

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

-----X  
**JANSSEN PHARMACEUTICAL N.V.,**

**Plaintiff,**

**- against -**

**EON LABS MANUFACTURING, INC.,  
Defendant.**

-----X  
**GERSHON, United States District Judge:**

On December 2, 2003 Magistrate Judge Marilyn Go issued an order in response to Janssen's application for a further extension of the thirty-month stay under 21 U.S.C. § 355(j)(5)(B)(iii), in which she extended an interim stay until January 27, 2004. This court is in receipt of both parties' objections to that order.

The court finds that the record supports Magistrate Judge Go's conclusion that Eon's failure to reasonably cooperate in expediting the action has delayed the adjudication of the action by six months. Therefore, Janssen's motion to extend the thirty-month stay is granted until March 7, 2004, which is six months past the date the thirty-month stay would have expired. Since there is no legal basis for any further extensions, none will be granted.

**SO ORDERED.**

Dated: Brooklyn, New York  
January 22, 2004

